

**LOUISVILLE METRO COUNCIL  
REGULAR MEETING  
FEBRUARY 14, 2008  
6:00 PM  
METRO COUNCIL CHAMBERS**

**CALL TO ORDER:** President King called the **FEBRUARY 14, 2008** Louisville Metro Council meeting to order at 6:00 PM. He asked all to rise and join in the Pledge Allegiance to the flag.

PRESIDENT KING: Madam Clerk, a roll call please.

**ROLL CALL:**

JUDY GREEN: PRESENT  
BARBARA SHANKLIN: PRESENT  
MARY WOOLRIDGE: PRESENT  
DAVID TANDY: PRESENT  
CHERI HAMILTON: PRESENT  
GEORGE UNSELD: PRESENT  
KEN FLEMING: PRESENT  
TOM OWEN: PRESENT  
TINA WARD-PUGH: PRESENT  
PRESIDENT JIM KING: PRESENT  
KEVIN KRAMER: PRESENT  
RICK BLACKWELL: PRESENT  
VICKI WELCH: PRESENT  
BOB HENDERSON: PRESENT  
MARIANNE BUTLER: PRESENT  
KELLY DOWNARD: PRESENT  
GLEN STUCKEL: EXCUSED ABSENCE  
JULIE RAQUE ADAMS: EXCUSED ABSENCE  
HAL HEINER: PRESENT  
STUART BENSON: PRESENT  
DAN JOHNSON: PRESENT  
ROBIN ENGEL: PRESENT  
JAMES PEDEN: PRESENT  
MADONNA FLOOD: EXCUSED ABSENCE  
DOUG HAWKINS: PRESENT  
ELLEN CALL: ABSENT

CLERK: There are 22 members present. A quorum was established.

President King: Please cause the record to reflect that Councilwomen Adams, Councilwoman Flood and Councilman Stuckel have excused absences.

**ADDRESSES TO COUNCIL:**

***Dan Fox- Family and Children First  
Bruce Sistrunk – Medical Health insurance  
Debby Robinson – Miss Louisville Scholarship Organization  
Ann Hurst – Support of Nurses organizing  
Jennifer Smithers – Nurses condition at Norton Hospital  
Bill Londrigan – Nurses at Norton Hospital***

CLERK: That concludes the addresses to Council.

### **APPROVAL OF COUNCIL MINUTES**

PRESIDENT KING: Thank you, Madam Clerk. Next we have approval of Council minutes for the Regular Council Meeting of January 24, 2008.

Are there any corrections or deletions? May I have a motion for approval?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN BUTLER: Second

PRESIDENT KING: I have a motion and a second. The minutes have been properly moved and seconded. All those in favor, say aye.

ALL: Aye

All those Opposed, like sign. The ayes have it. **Those minutes are approved as written.**

### **APPROVAL OF COMMITTEE MINUTES:**

Next we have approval of the following committee minutes:

Special: Ad Hoc Transportation - 8664 Proposal - January 28, 2008

Special: Appropriations, NDFs and CIFs - January 31, 2008

Special: Budget - February 6, 2008

Regular: Committee on Committees - February 12, 2008

Special: Contracts - February 4, 2008

Special: Health and Human Needs - February 6, 2008

Special: Minority and Community Affairs- February 4, 2008

Special: Parks, Libraries, Zoo and Arts - February 4, 2008

Special: Planning/Zoning, Land Design and Development - January 29, 2008

Special: Planning/Zoning, Land Design & Development - February 5, 2008

Special: Public Safety - February 5, 2008

Special: Transportation/Public Works - February 4, 2008

Special: Rules, Ethics and Appointments - February 6, 2008

Are there any corrections or deletions?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: I have a motion and a second. All those in favor, say aye.

All: Aye

All those opposed. The ayes have it. These minutes are approved as written.

### **MOMENT OF SILENCE:**

PRESIDENT KING: At this time I would like to grant CM Stuart Benson a point of personal privilege.

COUNCILMAN BENSON: Thank you, Mr. President. With a heavy heart

This past Tuesday, extremely talented servant of ours died suddenly of a heart attack his name was Ralph Donald Reid, 73 years old.

He was a civil engineer he retired from the Corps of engineers.

He helps Ron Mazolli work on the great lawn and all of the civil engineering projects around our community. In my district I have only known him for about six years. He has been a tireless servant at trying to make sure government was watched over and make sure things were done right. In my lifetime I have watched a lot of people who are serving or doing something special, but I could always find some reason why that person would be doing what they were doing.

And this man, I could never find anything of anything for him personally to gain.

He constantly always was doing something to try to make the world a better place.

And I'm going to miss him dearly. I know his family is, but our community has been really blessed by him being a part of our community and I would like to have a moment of silence.

If we could.

A moment of silence followed.

PRESIDENT KING: Thank you Councilman Benson.

### **INTRODUCTION OF PAGE:**

PRESIDENT KING: next we have introduction of pages.

CM Owen?

COUNCILMAN OWEN: Thank you, Mr. President, I frequently do not read other people's stuff that they have written, but our page, if she will stand up and let me introduce her is Rebecca Rhodes.

She is a resident of the eighth district and she wrote these things about herself and I love them.

She says I like purple things, my dog, Nemo, my guitar and my mom and dad.

I don't like pink stuff, stuff I can't do, and dancing in public.

I'm interested in government and I want to be a senator.

I have two sisters, Emma and Sara.

I'm going to mention Emma in another reference after the introduction.

I am learning to play electric guitar and I love to sing.

My dream is to be a professional singer.

I have three dogs, six Guinea pigs, a lizard and lots of fish.

I go to St. Francis of Assisi and I love music class.

Well, I want to welcome, Rebecca Rhodes and she is here with her dad.

I understand that they were residents not so long ago of the 23<sup>rd</sup> district, but we are loving to have them in the eighth district and Rebecca is here and as our page and I welcome her.

Thank you.

And in connection with that, her sister, one of her sisters, Emma is in the third grade, colleagues, and in front of you now is a piece written to you individually.

These are no fooling individual notes to you as a member of the metro council.

The third grade class at St. Francis of Assisi Catholic School in my district, these were brought down here by a parent, Shelley Santry whose son is in the third grade and each is addressed individually not by you by name but you as a council member and each student wrote a special Valentine's day thank you to you for your service.

I did not read all of mine, that Matthew Logsdon wrote, but I will say he thanks us for our safety; he thanks us for cleaning the roads so he can get to school.

So we want to thank the third graders at St. Francis of Assisi school.

PRESIDENT KING: Thank you Councilman Owen.

I'm just reading my note here and it's excellent. Excellent.

I would like to read every one of them.

I think that would be great.

## **GUESTS:**

PRESIDENT KING: Councilwoman Woolridge, I believe you have a guest, and you will also be reading a Black History month proclamation, is that correct?

COUNCILWOMAN WOOLRIDGE: Yes, thank you.

PRESIDENT KING: Would you like to come forward, please?

COUNCILWOMAN WOOLRIDGE: Good evening colleagues, thank you, Mr. President. At this time I would like to recognize someone who volunteers in district 3 tirelessly. I would like to ask Ms. Mary Cooper if she will join me at the podium. While she is coming I would like to say all of these nice things about Mrs. Cooper. I'm recognizing Mary C. Cooper tonight for her endless volunteer work in the community. It is very hard to find people who will commit extra time to short-term volunteer acts. But Mary Cooper has given years of volunteer service to many ongoing programs. Ms. Cooper was a foster grandparent for 4.5 years at Fraser Elementary School and a tutor. She also served as a volunteer tutor at Coleridge Taylor Elementary School for two years. Mary Cooper is a resident of Dr. William Weather senior building which is in the Park Duvalle area of district three. She coordinates all activities at the senior building as a volunteer. She is on call 24 hours a day, seven days a week for the seniors. She assists residents with their medications, schedules appointments, checks on residents, conducts fire drill and coordinates Bible study, fellowship service, bingo, movie night, and other activities within the building. All of this is done on a volunteer basis. In addition to her work with Dr. William Weather Building, Ms. Cooper serves as a volunteer at four nursing homes. She is a member of the group Saving Medicare patrol where she conducts seminars and workshops and is a retired senior volunteer through community action. She sits on the Elder serve Oak and Acorn advisory council, is an active member of Southern Star Baptist Church. To quote the resident service coordinator, George Higgins, he says, quote, Ms. Cooper really should be honored because what she does for residents of Dr. William Weather's is something she does from her heart. Without her assistance, I'm afraid some of the residents would have nothing to look forward to, end quote. This time I would like you to join me in welcoming Miss Mary C Cooper. Applause.

I would also like to present to Ms. Cooper our third annual outstanding volunteer service award for district 3 and it reads, community spirit award in recognition of service volunteer service, Mary C. Cooper presented February the 14<sup>th</sup>, 2008, Councilwoman Mary C Woolridge. Metro council District 3.

MS. COOPER: Thank you. I want to -- I appreciate -- it's an honor to receive this, but it's a joy to be a volunteer. That's a part of my life, and I thank God for enabling me to give me the strength and the ability to serve others.

COUNCILWOMAN WOOLRIDGE: Thank you, again, Ms. Cooper for all you do.

PRESIDENT KING: Councilman Woolridge would you like to continue with the Black History Month proclamation.

## **PROCLAMATION BY THE LOUISVILLE METRO COUNCIL**

WHEREAS, Carter G. Woodson initiated Black History Week February 12, 1926, expanded in 1976 to Black History Month, to celebrate and commemorate the accomplishments and contributions of African Americans to the overall history of America; and,

WHEREAS, African Americans in the military such as General Benjamin Oliver Davis, Jr., Secretary of State, General Colin Powell, Louisville Tuskegee Airmen Julius W. Calloway and John S. Sloan have worn this Nation's uniforms defending America's interests around the globe and,

WHEREAS, legal minds such as U.S. Supreme Court Justice Thurgood Marshall, Attorney Constance Motley Baker, and Louisvillians Kentucky Supreme Court Justice William E. McAnulty, Jr., and judges Charles H. Anderson and Benjamin Shobe have inspired judges and law makers to enforce constitutional protections of equal rights and equal justice under law and;

WHEREAS, educators such as W.E.B. DuBois, Frederick Douglass, Mary McLeod Bethune, Dr. Frederick Patterson and Louisvillians Dr. Charles H. Parrish, Lyman T. Johnson, and Atwood S. Wilson have helped to transform the academic world and to ensure every child access to quality education and,

WHEREAS, modern-day medical and scientific geniuses such as Louisville Metro Public Health Director Dr. Adewalde Troutman, Dr. Roscoe Bryant, Dr. William Kean, and pediatrician/internist Dr. Joyce Howell Young have done much to protect the physical health and well-being of our citizenry and,

WHEREAS; athletic geniuses such as Louisville natives Muhammad Ali, Leonard Lyles and Wesley Unseld, and Kentucky native musical and artistic talents such as renowned Broadway award winning director George C. Wolfe, dance instructor Jewel K. McNary, visual artists Robert "Bubba" Thompson, Sam Gilliam, internationally acclaimed sculptor, Ed Hamilton, and musical legend Lionel Hampton have inspired numerous Americans to develop and exercise their inherent talents for the benefit of American society and the world and,

WHEREAS, communication giants such as Oprah Winfrey and Louisville native Frank L. Stanley, Sr. have helped bridge the racial divide and,

WHEREAS, Black History Month is a time for all Americans to recognize, commemorate, and reflect upon the tremendous contributions made by African Americans to America's diverse heritage, culture, and global history; and to inspire American leadership on all levels to continue their efforts to bring about a more just, peaceful, and prosperous society for all citizens.

NOW THEREFORE, THE COUNCIL HEREBY PROCLAIMS FEBRUARY 2008 AS BLACK HISTORY MONTH AND DEDICATES ITSELF, AND ENCOURAGES PUBLIC OFFICIALS, EDUCATORS, LIBRARIANS, AND ALL CITIZENS WITHIN THE JURISDICTION OF THE LOUISVILLE METRO GOVERNMENT TO OBSERVE THIS MONTH WITH APPROPRIATE PROGRAMS AND ACTIVITIES THAT HIGHLIGHT AND HONOR THE COUNTLESS CONTRIBUTIONS OF AFRICAN AMERICANS.

Done this 14<sup>th</sup> Day of February, 2008

*/s/ Mary C. Woolridge*

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By: Councilwoman Mary C. Woolridge  
Louisville Metro Council - District 3

### **SUSPENSION OF RULES 7.01**

PRESIDENT KING: The next item of business is the Suspension of Rule 7.01. The suspension of this rule allows us to pass the next resolution without a second reading. It requires 18 affirmative votes.

May I have a motion to suspend rule 7.01.

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?

Hearing none, all those in favor, signify by saying AYE

All present: AYE

Any opposed?

The Ayes have it; the Rule 7.01 s suspended.

#### SPECIAL ORDINANCES AND RESOLUTIONS:

PRESIDENT KING: Next we have a special resolution. Madam Clerk, a reading of Item 17.

17. R-26-02-08 A RESOLUTION HONORING FORMER DEPUTY MAYOR JOAN RIEHM.

Status: On Council Agenda - For a Vote

Committee: Committee on Committees

Primary Sponsor:

Tina Ward-Pugh

Madonna Flood

Vicki Welch

Ellen Call

David Tandy

Marianne Butler

Kenneth C. Fleming

Robin Engel

Kevin Kramer

Julie Raque Adams

Barbara Shanklin

Cheri Bryant Hamilton

Glen Stuckel

James Peden

Jim King

Kelly Downard

Robert Henderson

Tom Owen

Doug Hawkins

Judy Green

Rick Blackwell

Mary C. Woolridge

Stuart Benson

Dan Johnson

George Unseld

Hal Heiner

PRESIDENT KING: May I have a motion for approval.

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?

Councilwoman Ward-Pugh?

COUNCILWOMAN WARD-PUGH: It is with deep sorrow that I brought this forward for us as a body tonight to honor the life and legacy of former Deputy Mayor Joan Riehm.

If you will allow, I will read it tonight and present it afterwards to her husband. It is jointly cosponsored by all of the Metro Council members and that would be council members ward, pew, flood, Welsh, call, Tandy, Butler, Fleming, Engel, Kramer, Adams, King, Owens, green, Shanklin, Woolridge, Hamilton, Unseld, Blackwell, Henderson, Downard, Stuckel, Heiner, Benson, Johnson, Peden and Hawkins.

#### A RESOLUTION HONORING THE LIFE AND LEGACY OF FORMER DEPUTY MAYOR JOAN RIEHM

Sponsored By: Council Members Ward-Pugh, Flood, Welch, Call, Tandy, Butler, Fleming, Engel, Kramer, Adams, Shanklin, Peden, King, Owen, Henderson, Stuckel, Downard, Hamilton, Stuckel, Peden, King, Downard, Henderson, Owen, Hawkins, Green, Blackwell, Woolridge, Benson, Johnson, Unseld and Heiner

WHEREAS, Mary Joan Riehm, born on June 17, 1945 to Charles and Katherine Grigsby Riehm, lost her courageous battle with cancer on January 20, 2008; and

WHEREAS, Joan had a distinguished career in communications, public service and civic affairs that spanned more than three decades – beginning as a journalist at *The Courier-Journal* and culminating in her serving for 15 years as deputy mayor of the City of Louisville; and

WHEREAS, Joan's distinguished professional career began in 1968 as a journalist for *The Courier-Journal* reporting on religion and urban affairs, and as editor of its weekly environmental section; and

WHEREAS, her service to the City of Louisville began in 1974 when she was appointed by former Louisville Mayor Harvey Sloane to serve as his press secretary; and

WHEREAS, from 1977 to 1979, Joan served as director of communications for the Kentucky Department for Human Resources and, from 1979 to 1985, as manager of government relations for Humana, Inc; and

WHEREAS, in 1985, Joan was the first woman to be appointed to serve as deputy mayor of the City of Louisville by newly-elected Mayor Jerry Abramson; and

WHEREAS, Joan served in that role until 1996 and, in her first term as deputy mayor, oversaw economic and community development, human services and educational initiatives and was the driving force behind a variety of city initiatives, including downtown, waterfront and neighborhood development projects and the creation of programs like the Urban Workshops and the highly-respected Operation Brightside programs; and

WHEREAS, Joan left city government in 1996 to become a consultant specializing in public issues management and communication and, in that capacity, continued to serve her community and dozens of public service organizations; and

WHEREAS, Joan returned to local government in 2002, when she was invited by Mayor Abramson to co-chair his merger transition team, then to serve as one of his deputy mayors in the newly-merged Louisville Metro Government; and

WHEREAS, in her second term as deputy mayor, Joan served as chief point person for metro government's reorganization until retiring from city government in December of 2006; and

WHEREAS, Joan was recognized and respected nationally for her knowledge and expertise in local government reorganization and for her leadership in regional development efforts, including the 23-county Regional Leadership Coalition which she founded and chaired, and the Alliance for Regional Stewardship, which she chaired; and

WHEREAS, Joan was particularly passionate about women's issues, education, the environment and the beautification of Louisville; and

WHEREAS, Joan was a driving force behind the Benchmark 2000 project and the creation of Women 4 Women, and served with distinction on a variety of community boards, including Operation Brightside, Norton Healthcare, Louisville Central Area, Inc., Louisville Planned Parenthood, Jefferson County Air Pollution Control Agency, Bellarmine University, University of Louisville's College of Business, Leadership Louisville and Leadership Kentucky; and

WHEREAS, Joan was also the founder and chair of The Louisville Store; and

WHEREAS, Joan's tireless efforts in the community were duly recognized, as she was named one of the 50 most powerful people in Louisville by *Louisville Magazine*, Most Admired Woman in Politics by *Today's Woman* magazine, and was the recipient of many awards: the Jack Paxton Award for Service from Leadership Kentucky, the Jefferson Award for Community Service from Jefferson Community and Technical College, the Order of Merit Award from the University of Louisville Alumni Association, the Tower Award for Women Leaders from Presentation Academy; Alumna of the Year by Sacred Heart



Academy and the University of Louisville College Of Business, and an Outstanding Catholic School Alumna by the Archdiocese of Louisville; and

WHEREAS, Joan Riehm was an extraordinary community servant, but also a beloved friend to countless citizens of Louisville who knew her and worked with her throughout her life:

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: This Metro Council recognizes and salutes Joan Riehm for her lifetime of service and her legacy of leadership in the City of Louisville and Louisville Metro; and for the indelible mark she has left in our hearts and in our community, through the countless programs, projects and initiatives she championed that have improved the quality of life in the city and region she called home.

SECTION II: This Resolution shall take effect upon its passage and approval.

And at this time I would like to present a copy to her husband, Dr. Melvin Greer, who is a professor emeritus from the University of Louisville and a copy to her good friend .Carol Butler for her sister, Weda.

CAROL BUTLER: Mel can't speak. On behalf of Mel and his family and Joan's family, we all would love to just say thanks for your taking the time and giving such a lovely tribute to Joan's life and her legacy in this community.

She was indeed an extraordinary force in this universe and she was a treasure to the community and a beloved friend of so many of ours.

She is going to be much missed, but her legacy will live on for a long time in this community and I can't think of a greater valentine for you to give Mel than to honor his Valentine in such a beautiful way tonight. Thank you.

PRESIDENT KING: Thank you Councilwoman Ward-Pugh. Obviously that was tough for you. I admire you for doing that.

And this may seem a little anticlimactic at this point, but we do have the resolution before us which calls for a voice vote.

All those in favor signify by saying aye

ALL: AYE

The ayes have it.

**The resolution is adopted.**

**COMMUNICATIONS FROM THE MAYOR:**

PRESIDENT KING: Madam Clerk, are there any communications from the mayor?

CLERK: Yes sir.

February 11, 2008

Mr. Jim King, President  
Metro Council

601 West Jefferson Street  
Louisville, KY 40202

Dear President King:

In accordance with the Citizens Commission on Police Accountability Ordinance, I am appointing James Craig to the Citizens Commission on Police Accountability.  
This appointment will expire on March 27, 2011.

Your prompt action on this appointment is most appreciated.

Sincerely,

*/s/ Jerry E. Abramson*

Jerry E. Abramson  
Mayor

JEA/set  
Cc: Councilman Ken Fleming enclosures  
e-copy to MCC  
Councilman George Unseld enclosure

February 11, 2008

Mr. Jim King, President  
Metro Council  
601 West Jefferson Street  
Louisville, KY 40202

Dear President King:

In accordance with the Greater Louisville Convention and Visitors Bureau Ordinance, I am reappointing Michael Grisanti to the Greater Louisville Convention and Visitors Bureau. This appointment will expire on February 28, 2011.

Your prompt action on this appointment is most appreciated.

Sincerely,

*/s/ Jerry E. Abramson*

Jerry E. Abramson  
Mayor

JEA/set

Cc: Councilman Ken Fleming enclosures  
e-copy to MCC  
Councilman George Unseld enclosure

February 11, 2008

Mr. Jim King, President  
Metro Council  
601 West Jefferson Street

Louisville, KY 40202

Dear President King:

In accordance with the Workforce Investment Board, Inc. Ordinance, I am appointing Delbert J. Melcher III to the Workforce Investment Board, Inc. This appointment will expire on February 29, 2011.

Your prompt action on this appointment is most appreciated.

Sincerely,

*/s/ Jerry E. Abramson*

Jerry E. Abramson  
Mayor

JEA/set

Cc: Councilman Ken Fleming enclosures  
e-copy to MCC  
Councilman George Unseld enclosure

PRESIDENT KING: Thank you, Madame Clerk. These appointments are referred to the Committee on Rules, Ethics and Appointments for consideration.

Madame Clerk, would you let the record reflect that Councilwoman Adams and Councilwoman Call are present.

PRESIDENT KING: Thank you, these items will be forwarded to the Rules, Ethics and Appointments Committee for consideration.

The next order of business is the Consent Calendar.

**CONSENT CALENDAR:**

The next order of business is the consent calendar. The Consent Calendar consists of Items 19-56. Are there any additions or deletions? Councilman Heiner?

COUNCILMAN HEINER: Thank you Mr. President. I am requesting that Items 36 and 38 be moved to Old Business.

36. R-12-01-08 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ENTER INTO AGREEMENTS WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS CONCERNING GRANTS FOR BICYCLE AND PEDESTRIAN EDUCATION, PROMOTION AND EVALUATION PROGRAMS, BICYCLE STATIONS, BIKEWAY SIGNAGE AND STRIPING, RIVER ROAD CORRIDOR BICYCLE IMPROVEMENTS, AN OLMSTED PARKWAY MULTI-USE TRAIL, NORTHEAST LOUISVILLE LOOP, WALKABLE COMMUNITIES IMPROVEMENTS, AND LAGRANGE ROAD BICYCLE AND PEDESTRIAN IMPROVEMENTS.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Transportation/Public Works  
**Primary Sponsor:** Tom Owen

38.O-289-11-07 AN ORDINANCE ADOPTING THE COMPLETE STREETS POLICY AND ADOPTING THE POLICY AS AN AMENDMENT TO CORNERSTONE 2020, THE

COMPREHENSIVE PLAN (CASE NOS. 9704 AND 9705).

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

PRESIDENT KING: Without objection, Items 36 and 38 are moved to old business. The Consent Calendar now comprises items 19-35, 37, and 39-56.

Madame Clerk a second reading of these items.

- 19 -16-01-08 AN ORDINANCE ADOPTING THE PORTLAND NEIGHBORHOOD PLAN AND ADOPTING THE EXECUTIVE SUMMARY OF THE PLAN AS AN AMENDMENT TO CORNERSTONE 2020, THE COMPREHENSIVE PLAN (CASE NOS. 9911 AND 9912).

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Cheri Bryant Hamilton

20. O-314-12-07 AN ORDINANCE CLOSING AN UNNAMED ALLEY AND A SECTION OF ANOTHER UNNAMED ALLEY FROM ITS SOUTHERN INTERSECTION WITH EAST ST. CATHERINE STREET, 145 FEET EAST OF PRESTON STREET, RUNNING SOUTH 264.3 FEET, THEN TURNING EAST FOR 140 FEET, CONTAINING 5272.93 SQUARE FEET, AND BEING IN LOUISVILLE METRO (CASE NO. 8837).

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

21. O-238-09-07 AN ORDINANCE CLOSING A SECTION OF WASHINGTON STREET RUNNING EAST/WEST BETWEEN 7TH AND 8TH STREETS, SOUTH OF RIVER ROAD AND NORTH OF MAIN STREET, AND A SECTION OF 7TH STREET RUNNING SOUTH FROM ITS SOUTH INTERSECTION WITH RIVER ROAD TO WASHINGTON STREET, ALL STREETS CONTAINING A TOTAL OF 28,595 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 8811).

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

22. O-19-01-08 AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 153 OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (LMCO) RELATING TO PLANNING.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

23. O-11-01-08 AN ORDINANCE TRANSFERRING \$10,000 FROM THE DISTRICT 21 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 21 COST CENTER ACCOUNT.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Dan Johnson

24. O-308-12-07 AN ORDINANCE APPROPRIATING \$15,000 FROM THE DISTRICT 21 NEIGHBORHOOD DEVELOPMENT FUND THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO AMERICANA COMMUNITY CENTER, INC. TO PROVIDE COMPUTER INSTRUCTION FOR ADULT AND YOUTH COMPUTER CLASSES DURING FALL 2007 AND SPRING 2008.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Dan Johnson

25. O-309-12-07 AN ORDINANCE APPROPRIATING \$8,000 IN TOTAL FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$3,400 FROM DISTRICT 24, \$1,000 EACH FROM DISTRICTS 6, 7, AND 16, AND \$500 EACH FROM DISTRICTS 1, 8 AND 14, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO HISTORIC LOCUST GROVE, INC. FOR THE TRANSPORTATION ASSISTANCE PROGRAM.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:**  
George Unseld  
Judy Green  
Kelly Downard  
Kenneth C. Fleming  
Madonna Flood  
Robert Henderson  
Tom Owen

26. O-01-01-08 AN ORDINANCE APPROPRIATING \$7,000 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$1,000 FROM DISTRICTS 11, 16, 17, 18, AND 26 AND \$500 FROM DISTRICTS 5, 8, 9, AND 13 THROUGH THE FINANCE AND ADMINISTRATION DEPARTMENT TO PROJECT WOMEN, INC. TO PURCHASE A VAN TO TRANSPORT PROGRAM PARTICIPANTS TO VARIOUS EVENTS AND ACTIVITIES.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:**  
Cheri Bryant Hamilton  
Ellen Call  
Glen Stuckel  
Julie Raque Adams  
Kelly Downard  
Kevin Kramer  
Tina Ward-Pugh  
Tom Owen  
Vicki Welch

27. O-10-01-08 AN ORDINANCE APPROPRIATING A TOTAL OF \$7200.00 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$3950.00 FROM DISTRICT 14, \$1500.00 FROM DISTRICT 12, \$1000.00 FROM DISTRICT 3, \$500.00 FROM DISTRICT 25, AND \$250.00 FROM DISTRICT 1 THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION TO

FROST MIDDLE SCHOOL FOR AN AFTER SCHOOL PROGRAM AND ART PROGRAM.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Robert Henderson  
**Additional Sponsor:**  
Mary C. Woolridge  
Doug Hawkins  
Judy Green  
Rick Blackwell

28. O-12-01-08 AN ORDINANCE APPROPRIATING \$30,000 FROM THE DISTRICT 9 NEIGHBORHOOD DEVELOPMENT FUND, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO BREAKING NEW GROUNDS, INC.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Tina Ward-Pugh

29. O-297-12-07 AN ORDINANCE APPROPRIATING \$9,276.49 FROM THE DISTRICT 2 NEIGHBORHOOD DEVELOPMENT FUND TO THE LOUISVILLE METRO DIVISION OF SOLID WASTE MANAGEMENT FOR EXPENSES ASSOCIATED WITH THE NEWBURG NEIGHBORHOOD CLEAN UP.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Barbara Shanklin

30. O-173-07-07 AN ORDINANCE APPROPRIATING \$14,399 FROM THE DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUNDS TO GREATER COMMUNITY HOUSING, INC. THROUGH THE DEPARTMENT OF FINANCE AND BUDGET FOR A SECURITY GATE ENTRANCE SYSTEM.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Cheri Bryant Hamilton

31. R-289-12-07 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESERVE, IN THE AMOUNT OF \$66,667.00 THROUGH THE WATERFRONT DEVELOPMENT CORPORATION FOR TRANSIENT BOAT DOCKING FACILITIES.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Parks, Libraries & Cultural Assets  
**Primary Sponsor:** Robert Henderson

32. R-290-12-07 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NEW CONTRACT - (CTAP, LLC - \$78,500.00).

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Contracts

**Primary Sponsor:** Judy Green

33. R-269-12-07 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (JEFFERSON COUNTY BOARD OF EDUCATION - \$26,000.00).

**Status:** On Council Agenda - Consent Calendar

**Committee:** Contracts

**Primary Sponsor:** Judy Green

34. R-08-01-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE MEDICAL SCHOOL PRACTICE ASSOCIATION, INC. D/B/A UNIVERSITY PHYSICIANS ASSOCIATES - \$50,000.00).

**Status:** On Council Agenda - Consent Calendar

**Committee:** Contracts

**Primary Sponsor:** Judy Green

35. R-10-01-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (DR. JAMES R. MCCAMMON, PH.D. - \$20,000.00).

**Status:** On Council Agenda - Consent Calendar

**Committee:** Contracts

**Primary Sponsor:** Judy Green

Item 36 sent to Old Business.

37. R-272-12-07 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE COMMONWEALTH OF KENTUCKY, IN THE AMOUNT OF APPROXIMATELY \$26,589.00, OF TITLE V TRUANCY PREVENTION/DIVERSION FUNDS, FOR METRO'S TURN THE T.I.D.E. PROGRAM.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Public Safety

**Primary Sponsor:** Judy Green

Item 38 sent to Old Business.

39. AP020608AM APPOINTMENT OF ANTHONY MATHIS TO THE WORKFORCE INVESTMENT BOARD, INC., TERM EXPIRES ON JANUARY 30, 2011.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Rules, Ethics & Appointments

40. AP020608AE APPOINTMENT OF ANNA LOUISE EDELEN TO THE VACANT PROPERTY REVIEW COMMISSION, TERM EXPIRES ON JULY 31, 2009.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

41. AP020608JH APPOINTMENT OF JONATHAN HENNEY TO THE DOWNTOWN DEVELOPMENT REVIEW OVERLAY DISTRICT COMMITTEE, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

42. AP020608TM APPOINTMENT OF TIMOTHY MULLOY TO THE DOWNTOWN DEVELOPMENT REVIEW OVERLAY DISTRICT COMMITTEE, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

43. AP020608CR APPOINTMENT OF CHARLES RATH TO THE DOWNTOWN DEVELOPMENT REVIEW OVERLAY DISTRICT COMMITTEE, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

44. AP020608DB APPOINTMENT OF DEBORAH BILITSKI TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

45. AP020608GH APPOINTMENT OF GRANT HILL TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

46. AP020608GHH APPOINTMENT OF GLENN HUBBUCH TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

47. AP020608WJ APPOINTMENT OF W. CLARKE JOHNSON TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Rules, Ethics & Appointments

48. AP020608MM APPOINTMENT OF MICHAEL MILLER TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar



**Committee:** Rules, Ethics & Appointments

49. AP020608SW APPOINTMENT OF STEPHANIE WARREN TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Rules, Ethics & Appointments

50. RP020608CC REAPPOINTMENT OF CARLA CATES TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Rules, Ethics & Appointments

51. RP020608BD REAPPOINTMENT OF BRENT DENSFORD TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Rules, Ethics & Appointments

52. RP020608VG REAPPOINTMENT OF VINCENZO GABRIELE TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Rules, Ethics & Appointments

53. RP020608TT REAPPOINTMENT OF TOM TRAVIS TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Rules, Ethics & Appointments

54. RP020608BV REAPPOINTMENT OF BOB VICE TO THE DOWNTOWN MANAGEMENT DISTRICT, TERM EXPIRES JANUARY 31, 2011.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Rules, Ethics & Appointments

55. R-06-01-08 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A \$5,000.00 GRANT FROM THE FOUNDATION FOR A HEALTHY KENTUCKY, INC. CONCERNING REMOVING BARRIERS FOR MOTHERS WHO BREASTFEED.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Health/Human Needs

**Primary Sponsor:** Judy Green

56. R-09-01-08 A RESOLUTION RATIFYING A PERFORMANCE BOND FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CLERK.

**Status:** On Council Agenda - Consent Calendar

**Committee:** Budget  
**Primary Sponsor:** Jim King

CLERK: Read in full.

PRESIDENT KING: Thank you Madam Clerk. May I have a motion for approval?

COUNCILWOMAN WOOLRIDGE: So moved.  
COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. The Consent Calendar has been properly moved and seconded and calls for a roll call vote. Madam Clerk, please open the voting Without objection, the voting is closing. The voting is closed.

**Voting Result : Consent Calendar**

JUDY GREEN: YES  
BARBARA SHANKLIN: YES  
MARY WOOLRIDGE: YES  
DAVID TANDY: YES  
CHERI HAMILTON: PRESENT  
GEORGE UNSELD: YES  
KEN FLEMING: YES  
TOM OWEN: YES  
TINA WARD-PUGH: YES  
PRESIDENT JIM KING: YES  
KEVIN KRAMER: YES  
RICK BLACKWELL: YES  
VICKI WELCH: YES  
BOB HENDERSON: YES  
MARIANNE BUTLER: YES  
KELLY DOWNARD: YES  
GLEN STUCKEL: EXCUSED ABSENCE  
JULIE RAQUE ADAMS: EXCUSED ABSENCE  
HAL HEINER: YES  
STUART BENSON: YES  
DAN JOHNSON: YES  
ROBIN ENGEL: ABSENT  
JAMES PEDEN: YES  
MADONNA FLOOD: EXCUSED ABSENCE  
DOUG HAWKINS: YES  
ELLEN CALL: ABSENT

CLERK; There were 21 yes votes and five not voting, Council members Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: The Consent Calendar passes.

**OLD BUSINESS:**

PRESIDENT KING: The next item of business is Old Business. Madam Clerk, a reading of Item 36.

36. R-12-01-08 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ENTER INTO AGREEMENTS WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS CONCERNING GRANTS FOR BICYCLE AND PEDESTRIAN EDUCATION, PROMOTION AND EVALUATION PROGRAMS, BICYCLE STATIONS, BIKEWAY

SIGNAGE AND STRIPING, RIVER ROAD CORRIDOR BICYCLE IMPROVEMENTS, AN OLMSTED PARKWAY MULTI-USE TRAIL, NORTHEAST LOUISVILLE LOOP, WALKABLE COMMUNITIES IMPROVEMENTS, AND LAGRANGE ROAD BICYCLE AND PEDESTRIAN IMPROVEMENTS.

COUNCILWOMAN WOOLRIDGE: Motion to approve.  
COUNCILWOMAN WELCH: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?  
Councilman Heiner?

COUNCILMAN HEINER: Thank you, President King, on this particular item which was heard in the Transportation committee, after the committee meeting I received an email from the administration requesting that we had one additional item to this list of projects that they intend to apply for grants, and that's the metro wide traffic signal synchronization that they intend to apply for CMac Congestion mitigation air quality funds so they sent over a proposal that I would like to read.  
It's also available on your viewer, and that is to add a new section 9 or item 9 under section 1 that would read.

9. *Metro-wide Traffic Signal Synchronization which will include funding to improve/upgrade/expand the Central Control System's Communication Network which will enhance operational efficiency through state-of-the-art communications, signal retiming, coordination, and optimization for the State owned suburban traffic signals.*

That's on your viewer before you, also what I don't believe has made it onto the viewer is at the end of the description they have also asked that we add at the end *and metro wide traffic signal synchronization* and I move that amendment.

COUNCILWOMAN WARD-PUGH: Second.

PRESIDENT KING: The amendment has been properly moved and seconded.  
Is there any further discussion? Hearing none, this amendment calling for a voice vote.  
All those in favor say aye.  
ALL PRESENT: Aye  
The ayes have it.

**The amendment is approved.**

We now have the amended version before us.  
Is there any further discussion?  
Hearing none, this is a resolution calling for a voice vote.  
All those in favor say aye,  
ALL PRESENT: AYE  
The ayes have it.

**The resolution as amended passes.**

Madam Clerk a reading of Item 38.

38.O-289-11-07 AN ORDINANCE ADOPTING THE COMPLETE STREETS POLICY AND ADOPTING THE POLICY AS AN AMENDMENT TO CORNERSTONE 2020, THE COMPREHENSIVE PLAN (CASE NOS. 9704 AND 9705).

**Status:** On Council Agenda - Consent Calendar  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

COUNCILWOMAN WOOLRIDGE: Motion to approve.  
COUNCILWOMAN WELCH: Second.  
PRESIDENT KING: I have a motion and a second, any discussion?  
Councilman Owen?

COUNCILMAN OWEN: Yes, I have asked Councilman Heiner to handle will this, if he will.  
PRESIDENT KING: With respect to that Councilman Heiner, would you like to be recognized.  
COUNCILMAN HEINER: Absolutely.  
PRESIDENT KING: That is alright.  
COUNCILMAN HEINER: Thank you, President King.

Yes, this deals with adopting what's called the complete streets policy intending to make future streets constructed in this community more bicycle friendly and pedestrian friendly.  
This, I believe, has been worked on by public works and planning staff for the last year.  
They proposed a policy to be adopted in metro.  
There was a question during the discussion about would this apply to neighborhood streets where there is, would those streets have to be ten feet wider, in other words, create bike lanes on both sides.  
We were told in the committee meeting that was not required and they were exempt under this policy.  
After further review, we heard back from public works from Rick Storm saying that that wasn't in the policy.  
They did intend for them to be exempt and suggesting an amendment to the policy.  
Again, this is available to you on the, as the first item under item 38 called proposed -- let me be sure I have the right one here.  
Actually the first item under item 38, and this would change the complete streets policy to add one additional condition that says bike lanes will not be required on local streets where the speed limit is 25 miles per hour or less.  
And I would like to move that as an amendment.  
PRESIDENT KING: Do I have a second.  
COUNCILWOMAN WARD-PUGH: Second.  
PRESIDENT KING: The amendment has been properly moved and seconded.  
Is there any further discussion?  
Hearing none, this an amendment calling for a voice vote.  
All those this favor signify by saying aye.  
ALL PRESENT: AYE  
Opposed?

The ayes have it. **The amendment is approved.**

COUNCILMAN HEINER: President King, just as a minor item, there is one word in that section, just from a grammatical standpoint that needs to be changed from *three* to **four** because there are now four bullet points.

PRESIDENT KING: Madam Clerk, do you have that?

CLERK: Yes sir.

PRESIDENT KING: We now have the amended ordinance before us which calls for a roll call vote.  
Madam Clerk, please open the voting.

**Voting Result : Item 38 as amended**

JUDY GREEN: YES  
BARBARA SHANKLIN: YES  
MARY WOOLRIDGE: YES

DAVID TANDY: YES  
CHERI HAMILTON: PRESENT  
GEORGE UNSELD: YES  
KEN FLEMING: YES  
TOM OWEN: YES  
TINA WARD-PUGH: YES  
PRESIDENT JIM KING: YES  
KEVIN KRAMER: ABSENT  
RICK BLACKWELL: YES  
VICKI WELCH: YES  
BOB HENDERSON: YES  
MARIANNE BUTLER: YES  
KELLY DOWNARD: YES  
GLEN STUCKEL: EXCUSED ABSENCE  
JULIE RAQUE ADAMS: EXCUSED ABSENCE  
HAL HEINER: YES  
STUART BENSON: YES  
DAN JOHNSON: YES  
ROBIN ENGEL: ABSENT  
JAMES PEDEN: YES  
MADONNA FLOOD: EXCUSED ABSENCE  
DOUG HAWKINS: YES  
ELLEN CALL: ABSENT

CLERK HERRON: There are 20 yes votes, and six not voting, Council Members Kramer, Stuckel, Adams, Engel, Flood, and Call.

PRESIDENT KING: **The ordinance as amended passes.**

Madam Clerk, a reading of Item 57

57. R-288-12-07 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (DR. LAURI ANDRESS - \$28,000.00).

**Status:** On Council Agenda - Old Business  
**Committee:** Contracts  
**Primary Sponsor:** Judy Green

COUNCILWOMAN WOOLRIDGE: Motion to approve.  
COUNCILMAN PEDEN: Second.

PRESIDENT KING: This item has been properly moved and seconded.

Councilwoman Butler would you like to comment on why this is on old business.

COUNCILWOMAN BUTLER: Thank you Mr. President. This item is on old business because at the time the contracts committee heard it we did not have a quorum, but I do ask you to please approve this contract.

PRESIDENT KING: Thank you.

So it was sent out of committee without a vote due to lack of quorum.

Any other discussion?

Hearing none, we have the resolution before us which calls for a voice vote.

All those in favor say aye.  
ALL PRESENT: AYE  
Opposed?  
The ayes have it.  
**The resolution is adopted.**

PRESIDENT KING: Madam Clerk, a reading of Item 58.

58. O-310-12-07 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT ~~8305~~ 6305-EAST MANSLICK ROAD AND 8604 AND 8608 SMYRNA PARKWAY, CONTAINING A TOTAL OF 3.47 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 8604).

**Status:** On Council Agenda - Old Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

PRESIDENT KING: May I have a motion for approval.  
COUNCILWOMAN WOOLRIDGE: So moved.  
COUNCILWOMAN WELCH: Second

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?  
Councilman Owen.

COUNCILMAN OWEN: Thank you, Mr. President, we have several items on the planning and zoning committee report on the agenda from planning and zoning tonight and that's because we kind of got behind over the winter. I will try to move through those as quickly as I can. This is a proposal for an office retail center with a bank on the northwest corner of Smyrna parkway and East Manslick Road. Its in Councilman Peden's district, I will note that the title is we R as we have -- as we have received it in minutes of the planning committee and as it is before us on the screen the address for the East Manslick Road site is incorrect. The correct address is 6305 East Manslick Road. Now, the document itself, the ordinance itself on the screen does reflect that address. It's only as we see it titled on our agenda, and in the minutes of the planning committee. So I do want to make that correction. This is in Mr. Peden's district and he may well want to comment.  
PRESIDENT KING: Councilman Peden would you like to be recognized.

COUNCILMAN PEDEN: Just to say there was significant public input. There was one person who actually made the effort to come and speak in favor of the project before the planning commission which is generally unusual, and but it's, you know, nice renderings as long as they stick to the plan, everything is good, so I would appreciate your support.

PRESIDENT KING: Is there any further discussion?  
Councilman Owen let me clarify the title you are saying should say 6305 East Manslick. So when we vote on this, that's what we will be voting on the topographical error will be fixed. Everyone is to understand it should read 6305.

COUNCILMAN PEDEN: I have one more comment.

It doesn't have anything to do with this plan specifically as much as one of their binding elements because, again, reading through the plan trying to be thorough specifically says service of the dumpster facility shall be permitted only in accordance with the metro Louisville code of ordinances. I would like to take this opportunity to remind us all that we have a conflict with our garbage collection time in that one ordinance says 6:00 a.m., which to be perfectly honest is way

too early for this site because it's within 30 feet of some houses.

With the other ordinance, I think, being the noise ordinance specifically says 7:00 a.m. which still is really early if you are sleeping, but at least more appropriate and obviously this is not an opportunity to fix that now, but when we are starting -- when we are not specifying specific times for garbage collection and specifically referring our own ordinances and there is a known conflict, it's a problem. So I just wanted to whatever committee deals with that or chairperson sitting there listening might want to take that up.

Thank you, Mr. Chairman.

PRESIDENT KING: Thank you, Councilman Peden.

I appreciate that.

Any further discussion?

Hearing none.

This is an ordinance calling for roll call vote.

Madame Clerk, please open the voting.

### **Voting Result : Item 58**

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI HAMILTON: PRESENT

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: YES

PRESIDENT JIM KING: YES

KEVIN KRAMER: ABSENT

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: EXCUSED ABSENCE

JULIE RAQUE ADAMS: EXCUSED ABSENCE

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: ABSENT

JAMES PEDEN: YES

MADONNA FLOOD: EXCUSED ABSENCE

DOUG HAWKINS: YES

ELLEN CALL: ABSENT

CLERK; There were 20 yes votes and five not voting, Council members Kramer, Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: The ordinance passes.

Madam Clerk, a reading of Item 59.

59. O-311-12-07 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL AND C-2 COMMERCIAL ON PROPERTY LOCATED AT 12418 AND 12456 LAGRANGE ROAD AND 13003 FACTORY LANE, CONTAINING A TOTAL OF 19.9 ACRES, OF WHICH 6.06 ACRES IS THE SUBJECT OF THE ZONING MAP AMENDMENT, AND BEING IN LOUISVILLE METRO (CASE NO. 8696).

**Status:** On Council Agenda - Old Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

PRESIDENT KING: May I have a motion?

COUNCILWOMAN WARD-PUGH: Motion to approve.  
COUNCILMAN TANDY: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?  
Councilman Owen.

COUNCILMAN HEINER This is the expansion of the shopping center.  
It involves additional retail restaurants and this is in councilman Heiner's district and he may well want to comment.

PRESIDENT KING: Councilman Heiner would you like to be recognized.

COUNCILMAN HEINER: Yes, I would, thank you, President King.

PRESIDENT KING: You are recognized.

COUNCILMAN HEINER: This is an expansion of an existing center even though the original developer didn't own this property at the time. The original center was designed with this expansion in mind. It improved access to the center as a whole and also has significant buffers from the adjacent street, and not aware of any opposition in the neighborhood to this proposal.

PRESIDENT KING: Excellent, Is there any further discussion?  
Hearing none, this is an ordinance calling for roll call vote.  
Madame Clerk, please open the voting.

**Voting Result: Item 59**

JUDY GREEN: YES  
BARBARA SHANKLIN: YES  
MARY WOOLRIDGE: YES  
DAVID TANDY: YES  
CHERI HAMILTON: PRESENT  
GEORGE UNSELD: YES  
KEN FLEMING: YES  
TOM OWEN: YES  
TINA WARD-PUGH: YES  
PRESIDENT JIM KING: YES  
KEVIN KRAMER: ABSENT  
RICK BLACKWELL: YES  
VICKI WELCH: YES  
BOB HENDERSON: YES  
MARIANNE BUTLER: YES  
KELLY DOWNARD: YES  
GLEN STUCKEL: EXCUSED ABSENCE  
JULIE RAQUE ADAMS: EXCUSED ABSENCE  
HAL HEINER: YES  
STUART BENSON: YES  
DAN JOHNSON: YES  
ROBIN ENGEL: ABSENT  
JAMES PEDEN: YES  
MADONNA FLOOD: EXCUSED ABSENCE  
DOUG HAWKINS: YES  
ELLEN CALL: ABSENT

CLERK; There were 20 yes votes and five not voting, Council members Kramer, Stuckel, Adams, Engel, Flood and Call.



PRESIDENT KING: **The ordinance passes.**  
Madam Clerk, a reading of Item 60.

60. O-312-12-07 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL AND C-1 COMMERCIAL TO C-M COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 8323 PRESTON HIGHWAY, CONTAINING A TOTAL OF 2.52 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 8740).

**Status:** On Council Agenda - Old Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

PRESIDENT KING: May I have a motion for approval?

COUNCILWOMAN WOOLRIDGE: So moved.  
COUNCILWOMAN WELCH: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?  
Councilman Owen.

COUNCILMAN OWEN: The committee heard this item.  
It involves a Schellers Fitness and Cycling site, construction of a 1200 square foot warehouse, a regional distribution site. This was heard by the committee. Councilwoman Flood was a member of the committee and was there, and supported this zoning change, so it came out of, it came out of committee with five yes votes.

PRESIDENT KING: Thank you.

I know councilwoman Flood had an emergency tonight and couldn't be here.

Is there any further discussion?

Hearing none, this is ordinance calling for roll call vote.

Madam clerk, open the voting.

The voting is closed.

**Voting Result: Item 60**

JUDY GREEN: YES  
BARBARA SHANKLIN: YES  
MARY WOOLRIDGE: YES  
DAVID TANDY: YES  
CHERI HAMILTON: PRESENT  
GEORGE UNSELD: YES  
KEN FLEMING: YES  
TOM OWEN: YES  
TINA WARD-PUGH: YES  
PRESIDENT JIM KING: YES  
KEVIN KRAMER: ABSENT  
RICK BLACKWELL: YES  
VICKI WELCH: YES  
BOB HENDERSON: YES  
MARIANNE BUTLER: YES  
KELLY DOWNARD: YES  
GLEN STUCKEL: EXCUSED ABSENCE  
JULIE RAQUE ADAMS: EXCUSED ABSENCE  
HAL HEINER: YES  
STUART BENSON: YES  
DAN JOHNSON: YES  
ROBIN ENGEL: ABSENT

JAMES PEDEN: YES  
MADONNA FLOOD: EXCUSED ABSENCE  
DOUG HAWKINS: YES  
ELLEN CALL: ABSENT

CLERK HERRON: 19 yes vote, seven not voting, council members Kramer, Blackwell, Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: **The ordinance passes.**  
Madam Clerk, a reading of Item 61

61. O-18-01-08 AN ORDINANCE CHANGING THE ZONING FROM UN URBAN NEIGHBORHOOD TO PDD PLANNED DEVELOPMENT DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST INTERSECTION OF EAST JEFFERSON STREET AND SOUTH HANCOCK STREET, AND BETWEEN SOUTH JACKSON, EAST JEFFERSON AND SOUTH SHELBY STREETS AND MUHAMMAD ALI BOULEVARD, CONTAINING A TOTAL OF 18.9 ACRES, AND CHANGING THE FORM DISTRICT FOR PROPERTY GENERALLY LOCATED BETWEEN SOUTH HANCOCK, EAST JEFFERSON AND SOUTH SHELBY STREETS AND MUHAMMAD ALI BOULEVARD FROM TN TRADITIONAL NEIGHBORHOOD TO DT DOWNTOWN, CONTAINING A TOTAL OF 26.6 ACRES, AS MORE PARTICULARLY SPECIFIED IN THE RESPECTIVE LEGAL DESCRIPTIONS ATTACHED HERETO, AND BEING IN LOUISVILLE METRO (CASE NO. 10175) (AS AMENDED).

**Status:** On Council Agenda - Old Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

PRESIDENT KING: May I have a motion?

COUNCILWOMAN WOOLRIDGE: So moved.  
COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?  
Councilman Owen.

COUNCILMAN OWEN: Yes sir. This is basically to try to allow for the further expansion and redevelopment of the Clarksdale Medical Center area bringing a zoning change and a form district change so that it will allow a broad mixed use in that area.  
This is -- there was -- there does need to be a floor amendment, Mr. President, and that floor amendment, and I would like to go ahead and clear that floor amendment at this point, basically allows the clarification and more accurate statement of the number, total number of acres for the rezoning as well as total number of acres involved in the change of form district.  
So that reads on the firsthand an underlined addition of the language containing a total of 18.9 acres and then as far as at form district change containing a total of 26.6 acres and further says respective legal descriptions attached there to so I would like to make that amendment.

COUNCILMAN TANDY: Second.  
PRESIDENT KING: I have a motion and a second.  
Is there any discussion?  
Hearing none, this is an amendment for a voice vote.  
All those in favor say aye,  
ALL PRESENT: AYES  
The ayes have it.

**The amendment is approved.**

Is there any further discussion?

COUNCILMAN OWEN: This is in Mr. Tandy's district and he may well want to comment.

COUNCILMAN TANDY: Thank you, Mr. President, the purpose for this zoning change is to allow for the smooth transition from downtown Louisville into the neighborhoods that surround or

that it borders downtown, that primarily being Phoenix Hill, much community discussion and participation has taken place with regard to this, and I think most of the issues have been worked out as it relates to some of the objections that some members of the community had with this, so I would urge my colleagues approval.

PRESIDENT KING: Thank you, Councilman Tandy.

Is there any further discussion?

We now have the amended version before us.

This is an ordinance calling for roll call vote.

Madame Clerk, please open the voting.

**Voting Result: Item 61**

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI HAMILTON: PRESENT

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: YES

PRESIDENT JIM KING: YES

KEVIN KRAMER: ABSENT

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: EXCUSED ABSENCE

JULIE RAQUE ADAMS: EXCUSED ABSENCE

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: ABSENT

JAMES PEDEN: YES

MADONNA FLOOD: EXCUSED ABSENCE

DOUG HAWKINS: YES

ELLEN CALL: ABSENT

CLERK HERRON: There are 19 yes votes, seven not voting, council members Kramer, Blackwell, Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: **The ordinance as amended passes.**

Madam Clerk, a reading of Item 62.

62. O-313-12-07 AN ORDINANCE CHANGING THE ZONING FROM R-7 MULTI-FAMILY RESIDENTIAL TO C-N COMMERCIAL NEIGHBORHOOD ON PROPERTY LOCATED AT 1938 FRANKFORT AVENUE, CONTAINING A TOTAL OF 0.23 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 9445) (AS AMENDED).

**Status:** On Council Agenda - Old Business

**Committee:** Planning/Zoning, Land Design & Development

**Primary Sponsor:** Tom Owen

PRESIDENT KING: Thank you Madam Clerk. May I have a motion?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?  
Councilman Owen.

COUNCILMAN OWEN: This is in the Clifton neighborhood. It's in Councilwoman Ward-Pugh's district essentially taking a single family residence and allowing for offices, what had been zoned multifamily, but it's a large residential structure which would also allow for a frame shop and offices.

There was a floor amendment and that is a binding element 12 was added.

That binding element came out of committee with recommendation.

The property at 1938 Frankfort Avenue and then shall not be permitted to have the following uses, and this was proposed by Councilman Ward-Pugh and then a list of those uses that would be prohibited are added as binding element 12 so I move that.

COUNCILWOMAN WARD-PUGH: Second.

PRESIDENT KING: I have a motion and a second.

Any further discussion?

COUNCILMAN OWEN: Councilman Ward-Pugh will want to comment.

PRESIDENT KING: Let's deal with the amendment and we will get back to that.

This is an amendment calling for voice vote.

All in favor say aye,

ALL PRESENT: Aye

Opposed?

The ayes have it. **The amendment is approved. (committee)**

We now have amended version before us.

Is there any further discussion?

Councilwoman Ward-Pugh?

COUNCILWOMAN WARD-PUGH: Thank you, Mr. President.

This is exactly what Mr. Owen explained.

One of the good things about this not only is it consistent with the area, but the owners work directly with the Clifton Community council ahead of time to resolve any differences and to work through this sometimes plodding through a preservation district and some of those additional restrictions can create a problem. This is an example where they work directly with them and with planning and design and came up with what I think is a very good change for the Clifton neighborhood in the ninth district would appreciate your support.

PRESIDENT KING: Thank you councilwoman.

Is there any further discussion.

Hearing none this is calling for roll call vote.

Madame Clerk, please open the voting.

**Voting Result: Item 62**

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI HAMILTON: PRESENT

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: YES

PRESIDENT JIM KING: YES

KEVIN KRAMER: ABSENT

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES  
KELLY DOWNARD: YES  
GLEN STUCKEL: EXCUSED ABSENCE  
JULIE RAQUE ADAMS: EXCUSED ABSENCE  
HAL HEINER: YES  
STUART BENSON: YES  
DAN JOHNSON: YES  
ROBIN ENGEL: ABSENT  
JAMES PEDEN: YES  
MADONNA FLOOD: EXCUSED ABSENCE  
DOUG HAWKINS: YES  
ELLEN CALL: ABSENT

CLERK HERRON: There are 19 yes votes, seven not voting, council members Kramer, Blackwell, Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: **The ordinance as amended passes.**  
Madam Clerk, a reading of item 63.

63. O-17-01-08 AN ORDINANCE AMENDING ORDINANCE 4, SERIES 2007, AS AMENDED, EXTENDING THE PORTLAND NEIGHBORHOOD CATEGORY 3 REVIEW PROCESS (AS AMENDED).

**Status:** On Council Agenda - Old Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Cheri Bryant Hamilton

PRESIDENT KING: may I have a motion?  
COUNCILWOMAN WOOLRIDGE: So moved.  
COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?  
Councilman Owen.

COUNCILMAN OWEN: Yes, as you know, colleagues Councilwoman Bryant Hamilton has been working for some years on trying to steer development, positive development for the Portland neighborhood, and during the time that we have been working on a neighborhood plan, which is in almost complete and is before the committee, that -- we have had an ordinance that has been extended on at least one occasion which allows for category three review process of any major new construction in the Portland neighborhood.

Well, this extends that category three review process until the neighborhood plan is fully implemented.

There was a floor (committee) amendment which added the language executive summary of the Portland neighborhood plan, eliminated the language pertaining to zoning and then in a section 8 adding the language executive summary of the Portland neighborhood plan.

So this, this language was amended in the committee, and I move the adoption of that language.

COUNCILWOMAN WARD-PUGH: Second.

PRESIDENT KING: The amendment has been properly moved and seconded.  
Is there any further discussion?

Hearing none, this is an amendment calling for voice vote.

All in favor say aye,

ALL PRESENT: Aye

Opposed?

The ayes have it. **The amendment is approved.**

We now have amended version before us.

Is there any further discussion, Councilwoman Hamilton.

COUNCILWOMAN HAMILTON: Thank you, Mr. President.

Actually you weren't at that meeting, but the Portland neighborhood plan came out of committee, it was approved tonight on the consent calendar, and this category 3 process has worked very well over the past few years in the Portland neighborhood and having discussions with Mr. Cash, of planning and design, they plan on using this as a model in other districts because other districts from Middletown to the Highlands have expressed interest in how this works and what neighborhoods can do to further this process. So he is working up something which I'm sure he is going to bring back to the committee.

I will say that it has worked well because development did not stop.

Developers worked with the community on design and people are very happy.

Actually, this is more than an extension.

This is saying that we are going to have this category 3 in effect until the land use recommendations that are contained in the executive summary are implemented by the metro council.

PRESIDENT KING: Thank you Councilwoman Hamilton.

Is there any further discussion?

Hearing none this is an ordinance calling for a roll call vote.

Madame Clerk, please open the voting.

**Voting Result: Item 63**

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI HAMILTON: PRESENT

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: YES

PRESIDENT JIM KING: YES

KEVIN KRAMER: ABSENT

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: EXCUSED ABSENCE

JULIE RAQUE ADAMS: EXCUSED ABSENCE

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: ABSENT

JAMES PEDEN: YES

MADONNA FLOOD: EXCUSED ABSENCE

DOUG HAWKINS: YES

ELLEN CALL: ABSENT

CLERK HERRON: There are 19 yes votes, seven not voting, council members Kramer, Blackwell, Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: **The ordinance as amended passes.**

Madam Clerk a reading of Item 64.

64. O-15-01-08 AN ORDINANCE CHANGING THE NAME OF ALAMANCE DRIVE, FROM ITS EASTERN INTERSECTION WITH NORTHUMBERLAND DRIVE, RUNNING EAST TO ITS STUB INTO ADJOINING PROPERTY, BEING WORTHINGTON HILLS, TO BRISTOL BAY PLACE, SAID ROAD BEING IN LOUISVILLE METRO (DOCKET NO. 1-21-06).

**Status:** On Council Agenda - Old Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

PRESIDENT KING: May I have a motion for approval?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: This item has been properly moved and seconded. Is there any discussion?

Councilman Owen do you want to explain the reason?

COUNCILMAN OWEN: This came to the council without recommendation because we ran out of a quorum in our committee, so it was for that reason it's on old business and comes without a recommendation, so I don't think there is any need for further comment.

PRESIDENT KING: Thank you.

Any further discussion?

Hearing none, this is an ordinance calling for roll call vote.

Madame Clerk, please open the voting.

**Voting Result: Item 64**

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI HAMILTON: PRESENT

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: YES

PRESIDENT JIM KING: YES

KEVIN KRAMER: ABSENT

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: EXCUSED ABSENCE

JULIE RAQUE ADAMS: EXCUSED ABSENCE

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: ABSENT

JAMES PEDEN: YES

MADONNA FLOOD: EXCUSED ABSENCE

DOUG HAWKINS: YES

ELLEN CALL: ABSENT

CLERK HERRON: There are 19 yes votes, seven not voting, council members Kramer, Blackwell, Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: **The ordinance passes.**

Madam Clerk, a reading of item 65.

65. O-08-01-08 AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 7405 PRESTON HIGHWAY, CONTAINING 1.43 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 9490).(AS AMENDED)

**Status:** On Council Agenda - Old Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

PRESIDENT KING: Thank you, may I have a motion for approval?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILWOMAN BUTLER: Second.

PRESIDENT KING: The item has been properly moved and seconded. Is there any discussion.  
Councilman Owen?

COUNCILMAN OWEN: This is a rezoning of a restaurant site from C1 to C2.

A new restaurant will be located there for B.C. Roosters it's at Preston Highway and McCauley Road, and Councilwoman Flood was at the meeting, is fully supportive of it.

She did ask that there are a binding element number 14 added which lists very specific C2 uses. That would not be permitted on the property and so I would move that amendment.

COUNCILWOMAN WARD-PUGH: Second.

PRESIDENT KING: I have a motion and second for amendment.

Any further discussion?

This is an amendment calling for a voice vote.

All those in favor say aye.

ALL PRESENT: Aye

Opposed?

The ayes have it.

**The amendment is approved.**

We now have an amended version before us?

Is there any further discussion?

Hearing none, the ordinance calls for roll call vote.

Madame Clerk, please open the voting.

CLERK HERRON: 19 yes votes, 7 not voting council, members Kramer, Blackwell, Stuckel, Engel, Flood and call.

**Voting Result: Item 65**

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI HAMILTON: PRESENT

GEORGE UNSELD: YES

KEN FLEMING: YES

TOM OWEN: YES

TINA WARD-PUGH: YES

PRESIDENT JIM KING: YES

KEVIN KRAMER: ABSENT

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES



KELLY DOWNARD: YES  
GLEN STUCKEL: EXCUSED ABSENCE  
JULIE RAQUE ADAMS: EXCUSED ABSENCE  
HAL HEINER: YES  
STUART BENSON: YES  
DAN JOHNSON: YES  
ROBIN ENGEL: ABSENT  
JAMES PEDEN: YES  
MADONNA FLOOD: EXCUSED ABSENCE  
DOUG HAWKINS: YES  
ELLEN CALL: ABSENT

CLERK HERRON: There are 19 yes votes, seven not voting, council members Kramer, Blackwell, Stuckel, Adams, Engel, Flood and Call.

PRESIDENT KING: **The ordinance as amended passes.**

### **NEW BUSINESS:**

PRESIDENT KING: The next item of business is New Business which comprises 66-92. Madam Clerk a reading of those items and their assignment to committee.

### **New Business:**

66. O-20-02-08 AN ORDINANCE AMENDING SECTIONS 51.405 AND 51.507 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES RELATING TO THE DISPOSAL OF YARD WASTE

**Status:** On Council Agenda - New Business  
**Committee:** Transportation/Public Works  
**Primary Sponsor:** Tom Owen

67. R-13-02-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NEW CONTRACT - (AHEAD HUMAN RESOURCES - \$25,000.00).

**Status:** On Council Agenda - New Business  
**Committee:** Contracts  
**Primary Sponsor:** David Tandy

68. R-14-02-08 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A SUPPLEMENTAL PAYMENT FROM UNIVERSITY HEALTH CARE, INC. AND ITS PASSPORT HEALTH PROGRAM, IN THE AMOUNT OF APPROXIMATELY \$505,195.00 TO THE LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH & WELLNESS FOR THE ENHANCED SERVICES PILOT PROGRAM.

**Status:** On Council Agenda - New Business  
**Committee:** Health & Human Needs  
**Primary Sponsor:** Judy Green

69. R-11-02-08 A RESOLUTION REQUESTING THE KENTUCKY ECONOMIC DEVELOPMENT FINANCE AUTHORITY TO ISSUE BONDS PURSUANT TO SECTIONS 154.10-035(2), 154.20-035(1), AND 103.200 THROUGH 103.285, KENTUCKY REVISED STATUTES, RELATING TO AN INDUSTRIAL DISPOSAL HAULING FACILITY LOCATED IN METRO LOUISVILLE.

**Status:** On Council Agenda - New Business

**Committee:** Labor & Economic Development  
**Primary Sponsor:** David Tandy

70. O-21-02-08 AN ORDINANCE RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (EFFECTIVE DATE JANUARY 25, 2008 THROUGH JUNE 30, 2010) RELATING TO WAGES, BENEFITS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BY AND BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND LOUISVILLE CORRECTIONS FRATERNAL ORDER OF POLICE LODGE #77 CONCERNING THE OFFICERS AND SERGEANTS OF THE LOUISVILLE METRO CORRECTIONS DEPARTMENT.

**Status:** On Council Agenda - New Business  
**Committee:** Labor & Economic Development  
**Primary Sponsor:** David Tandy

71. O-22-02-08 AN ORDINANCE APPROPRIATING A TOTAL OF \$5200.00 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$4000.00 FROM DISTRICT 20, AND \$1200.00 FROM DISTRICT 22, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE LOUISVILLE DOG RUN ASSOCIATION, INC. FOR INSTALLING A WATER LINE AT CHARLIE VETTINER PARK TO SERVE THE CHARLIE VETTINER DOG RUN.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:**  
Stuart Benson  
Robin Engel

72. O-23-02-08 AN ORDINANCE APPROPRIATING \$5,100 FROM THE DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUND, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE SCHNITZELBURG AREA COMMUNITY COUNCIL FOR HANDICAP RAMPS, MEDIAN PLANTERS AND MUSICAL EVENTS IN THE NEIGHBORHOOD.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Jim King

73. O-24-02-08 AN ORDINANCE APPROPRIATING \$12,900 FROM THE DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUND, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE CITY OF AUDUBON PARK TO PAINT CONCRETE ABUTMENTS IN THE PRESTON HIGHWAY AREA.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Jim King

74. O-25-02-08 AN ORDINANCE AMENDING ORDINANCE NO. 127, SERIES 2007, RELATING TO THE FISCAL YEAR 2007- 08 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, AND ORDINANCE NO. 126, SERIES 2007, RELATING TO THE FISCAL YEAR 2007-08 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$10,000 IN FUNDS FROM THE CAPITAL CUMULATIVE RESERVE FUND FOR CAPITAL INFRASTRUCTURE FUND PROJECTS RELATED TO METRO COUNCIL DISTRICT 1 TO THE GENERAL FUND NEIGHBORHOOD DEVELOPMENT FUND FOR METRO COUNCIL DISTRICT 1.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Judy Green

75. R-16-02-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT - THE LIFE INSTITUTE, INC. IN THE AMOUNT OF SIXTEEN THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$16,550.00).

**Status:** On Council Agenda - New Business  
**Committee:** Contracts  
**Primary Sponsor:** David Tandy

76. R-17-02-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – THE YOUNG MEN’S CHRISTIAN ASSOCIATION OF GREATER LOUISVILLE d/b/a YMCA OF GREATER LOUISVILLE - \$16,500.00.

**Status:** On Council Agenda - New Business  
**Committee:** Contracts  
**Primary Sponsor:** David Tandy

77. R-18-02-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT - (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$40,000.00).

**Status:** On Council Agenda - New Business  
**Committee:** Contracts  
**Primary Sponsor:** David Tandy

78. R-19-02-08 A RESOLUTION AUTHORIZING THE MAYOR’S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A SIGNALIZATION TIMING PROJECT.

**Status:** On Council Agenda - New Business  
**Committee:** Transportation/Public Works  
**Primary Sponsor:** Hal Heiner

79. R-20-02-08 A RESOLUTION AUTHORIZING THE MAYOR’S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING TRAFFIC SIGNAL SYSTEM ENHANCEMENTS.

**Status:** On Council Agenda - New Business  
**Committee:** Transportation/Public Works  
**Primary Sponsor:** Hal Heiner

80. O-26-02-08 AN ORDINANCE RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (EFFECTIVE DATE FEBRUARY 7, 2008 THROUGH JUNE 30, 2010) RELATING TO WAGES, BENEFITS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BY AND BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND LOUISVILLE CORRECTIONS FRATERNAL ORDER OF POLICE LODGE #77 CONCERNING THE CAPTAINS AND LIEUTENANTS OF THE LOUISVILLE METRO CORRECTIONS DEPARTMENT.

**Status:** On Council Agenda - New Business  
**Committee:** Labor & Economic Development  
**Primary Sponsor:** David Tandy

81. R-21-02-08 A RESOLUTION AMENDING AND REENACTING RESOLUTION 184, SERIES 2005 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT COUNCIL; AND

APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO GENENTECH, INC. AND GENENTECH USA, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 24.

**Status:** On Council Agenda - New Business  
**Committee:** Labor & Economic Development  
**Primary Sponsor:** David Tandy

82. R-22-02-08 A RESOLUTION REPEALING RESOLUTION 231, SERIES 2007 OF THE LOUISVILLE/JEFFERSON COUNTY METRO COUNCIL PERTAINING TO THE GRANTING OF LOCAL INDUCEMENTS PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 24

**Status:** On Council Agenda - New Business  
**Committee:** Labor & Economic Development  
**Primary Sponsor:** David Tandy

83. R-23-02-08 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO RAYTHEON TECHNICAL SERVICES COMPANY, LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 24.

**Status:** On Council Agenda - New Business  
**Committee:** Labor & Economic Development  
**Primary Sponsor:** David Tandy

84. O-27-02-08 AN ORDINANCE ADOPTING THE TYLER RURAL SETTLEMENT NEIGHBORHOOD PLAN AND ADOPTING THE EXECUTIVE SUMMARY OF THE PLAN AS AN AMENDMENT TO CORNERSTONE 2020, THE COMPREHENSIVE PLAN (CASE NOS. 10111 AND 10116).

**Status:** On Council Agenda - New Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Stuart Benson

85. O-28-02-08 AN ORDINANCE CHANGING THE ZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-6 MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 600 ENGLISH STATION WAY, CONTAINING A TOTAL OF 42.98 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 8940).

**Status:** On Council Agenda - New Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Tom Owen

86. R-24-02-08 A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO HOLD A PUBLIC HEARING, AND FORWARD ITS RECOMMENDATION TO THE METRO COUNCIL REGARDING A REZONING OF CERTAIN PROPERTIES IN THE DERBYSHIRE ESTATES SUBDIVISION.

**Status:** On Council Agenda - New Business  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** Stuart Benson

87. R-25-02-08 A RESOLUTION PURSUANT TO ORDINANCES 126 AND 127, SERIES 2007, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (MARIGNY J. BOSTOCK - \$15,000.00).

**Status:** On Council Agenda - New Business  
**Committee:** Contracts  
**Primary Sponsor:** Judy Green

88. O-29-02-08 AN ORDINANCE TRANSFERRING \$10,000 FROM THE DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 10 COST CENTER ACCOUNT.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:** Jim King

89. O-30-02-08 AN ORDINANCE APPROPRIATING A TOTAL OF \$9,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$5,000 FROM DISTRICT 13; \$1,000 EACH FROM DISTRICTS 12, 14, AND 24; \$500 EACH FROM DISTRICTS 1 AND 22; \$300 FROM DISTRICT 23; AND \$200 FROM DISTRICT 4, TO THE LOUISVILLE METRO PARKS DEPARTMENT FOR OPERATING EXPENSES FOR THE FOURTH ANNUAL FOREST FEST, WHICH IS TO BE HELD MAY 17, 2008 AT JEFFERSON MEMORIAL FOREST.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:**  
Vicki Welch  
Rick Blackwell  
Robert Henderson  
Madonna Flood  
Robin Engel  
Judy Green  
James Peden  
David Tandy

90. R-27-02-08 A RESOLUTION REQUESTING INFORMATION AND RECOMMENDATIONS REGARDING A PROPOSED CORRIDOR TO SERVE TRAFFIC FROM THE TUCKER STATION/BLANKENBAKER PARKWAY AREA INDUSTRIAL COMPLEXES AND TO CONNECT REHL ROAD WITH TAYLORSVILLE ROAD.

**Status:** On Council Agenda - New Business  
**Committee:** Transportation/Public Works  
**Primary Sponsor:** Stuart Benson

91. O-31-02-08 AN ORDINANCE APPROPRIATING A TOTAL OF \$14,500 FROM THE NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$5,500 FROM DISTRICT 4; \$2,500 EACH FROM DISTRICTS 3 AND 22; \$2,000 FROM DISTRICT 23; AND \$500 EACH FROM DISTRICTS 1,2,5, AND 6, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE ACTOR'S THEATRE OF LOUISVILLE, INC. FOR EDUCATION WORKSHOPS, PUBLIC PERFORMANCE, DISTRICT NIGHT, AND THE AFRICAN AMERICAN ART EXHIBITION AND AWARD CEREMONY.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:**  
David Tandy  
Mary C. Woolridge  
Robin Engel  
James Peden  
George Unseld  
Cheri Bryant Hamilton  
Judy Green  
Barbara Shanklin

92. O-32-02-08 AN ORDINANCE APPROPRIATING A TOTAL OF \$16,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) AS FOLLOWS: \$5,000 EACH FROM

DISTRICTS 21, 12, AND 13; AND \$1,000 FROM DISTRICT 15, THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO THE HOLY ROSARY FOUNDATION, INC., FOR EXPENSES RELATING TO THE KENTUCKY DERBY FESTIVAL RAMBLE FOR THE ROSES.

**Status:** On Council Agenda - New Business  
**Committee:** Appropriations, NDFs and CIFs  
**Primary Sponsor:**  
Dan Johnson  
Rick Blackwell  
Vicki Welch  
Marianne Butler

### **ADJOURNMENT**

PRESIDENT KING: Thank you, Madam Clerk. Before we have a motion to adjourn the meeting I would ask council members who wish to make announcements please remain in the chamber and register your intent on your computer. Do I hear a motion to adjourn?

COUNCILMAN OWEN: Motion to adjourn.

COUNCILWOMAN HAMILTON: Second.

PRESIDENT KING: Without objection, we are adjourned.

There being no further business, the **Regular February 14, 2008** Louisville Metro Council meeting adjourned at 7:30 PM EST.

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Kathleen J. Herron, Metro Council Clerk

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Jim King, Metro Council President

Announcements were made by CM Henderson, CM Owen and CW Hamilton.
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